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ATTORNEY FOR DEBTOR

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

IN RE:

PREFERRED READY-MIX LLC,

Debtor.

§
§
§
§
§

CASE NO. 21-33369

Chapter 11

THIRD AMENDED BALLOT TALLY

Preferred Ready-Mix LLC (the “Debtor”), submits the following amended tally of Ballots received in connection with confirmation of its Plan of Reorganization:

Class 1 Allowed Secured Claim of BankDirect Capital Finance.

No votes received.

Class 1A Allowed Secured Claim of Ag Barn.

AG Barn Management, LLC voted to accept the Plan. The amount of AG Barn Management, LLC’s secured claim is \$10,833.79.

Class 1A voted to accept the Plan.

Class 1B Allowed Secured Claim of Wayne C. Tyson.

Wayne C. Tyson voted to reject the Plan. The amount of Wayne C. Tyson’s claim is \$19,097.83.

Class 1B voted to reject the Plan.¹

Class 2 Allowed Secured Claim of FundThrough USA, Inc.

No votes received.

¹ Counsel for Wayne Tyson indicated that he will change his vote to an acceptance of the Plan at the confirmation hearing.

Class 3 Allowed General Unsecured Claims, excluding Insiders.

AG Barn Management, LLC voted to accept the Plan. The amount of AG Bar Management, LLC's claim is \$17,355.82.

Con-Tech Manufacturing, Inc. voted to accept the Plan. The amount of Con-Tech Manufacturing, Inc.'s claim is \$13,287.66.²

Texcon Ready Mix, Inc. voted to accept the Plan. The amount of Texcon Ready Mix, Inc.'s claim is \$433,881.01.

Class 3 voted to accept the Plan.

Class 4 Allowed Unsecured Claims of Insiders.

Matthew W. Tyson voted to reject the Plan. The amount of Matthew W. Tyson's claim is \$54,386.53

Class 4 voted to reject the Plan.³

Class 5 Allowed Equity Interest Holders.

No votes received.

Dated: February 22, 2022.

Respectfully submitted,

/s/ Joyce W. Lindauer

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³ Matthew Tyson is an insider as a prior owner of the business and as such should be counted in Class 4.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on February 22, 2022, a true and correct copy of the foregoing document was served via email pursuant to the Court's ECF system upon the parties listed below.

Robert W Berleth on behalf of Attorney Robert Berleth
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/s/ Joyce W. Lindauer
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